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## REMARKS

The office action indicates that the foreign language papers would not be considered pursuant to 37 C.F.R. 1.98(a)(3)(ii). This material merely indicates that translations must be provided to the extent available. There is no translation in the possession, custody or control of those involved in the prosecution of this case.

Instead, the material was cited in the course of foreign prosecution matter. That is clearly indicated in the IDS filed on or about October 31, 2006. Moreover, as suggested in the Manual of Patent Examining Procedure (M.P.E.P.) § 609.04(a), the requirement for a concise explanation of relevance was satisfied by submitting an English language version of the search report or action which indicates the degree of relevance found by the foreign office.

Therefore, reconsideration is respectfully requested. If the position is to be maintained, it is requested that the undersigned be called by telephone so that an appropriate partition can be undertaken.

Respectfully submitted,

Date: December 5, 2006

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